

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

Committee Room,
Austin, Texas, Sept. 22, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. C. R. No. 9,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

MOORE, Chairman.

Committee Room,
Austin, Texas, Sept. 22, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 54, A bill to be entitled "An Act to amend Article 7043 of the Revised Civil Statutes of the State of Texas, 1925, Acts 1st Called Session, Thirtieth Legislature, page 464 as amended by the Forty-first Legislature of Texas, Third Called Session, Chapter 23, pages 527 and 528, relating to ascertaining tax rate, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

SEVENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
September 23, 1931.

The Senate met at 9:30 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

House Bill No. 33.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 33, A bill to be entitled "An Act waiving the right of the State of Texas to enter upon, for the purpose of development of mines,

minerals and mineral rights, including oil and gas thereunder, all lands heretofore granted, or that may hereafter be granted, under Article 8225 of the Revised Statutes, to any navigation district, and by such district conveyed, or that may hereafter be conveyed to the United States of America for navigation purposes, so long as such lands shall be used by the United States of America, or such navigation district, for navigation purposes; and declaring an emergency."

The committee report was adopted.

The committee substitute was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 33 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Russek.

Absent—Excused.

Martin.

Pollard.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Poage.
Greer.	Rawlings.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Nays—1.

DeBerry.

Absent.

Purl.

Absent—Excused.

Martin.

Russek.

Pollard.

House Bill No. 58.

The Chair laid before the Senate on its second reading the following bill:

By Mrs. Strong:

H. B. No. 58, A bill to be entitled "An Act to amend Article 955, of the Revised Criminal Statutes of Texas of 1925, as amended by House bill No. 406, Chapter 257, General and Special Laws of the Regular Session of the Forty-first Legislature; and further amended by House bill No. 179, Chapter 304, of the Regular Session of the Forty-second Legislature, prohibiting the sale of fish taken from fresh water streams of certain counties and also providing means and methods of taking and possessing fish from fresh waters of said counties by omitting Anderson county, and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended.

The committee report was adopted.

On motion of Senator Greer the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 58 was put on its second reading by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Small.
Holbrook.	Thomason.
Hopkins.	Stevenson.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Pollard.

Russek.

Absent—Excused.

Martin.

The bill was read second time and passed to third reading.

On motion of Senator Greer the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 58 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Hopkins.

Pollard.

Martin.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Martin.

Russek.

Pollard.

House Bill No. 49.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 49, A bill to be entitled "An Act to amend Article 3887 of the Revised Civil Statutes of 1925, as amended by the Acts of the Forty-

first Legislature, Regular Session, Chapter 112, page 256, as further amended by the Acts of the Forty-second Legislature, Regular Session, Chapter 123, page 235, of the Special Laws of said Forty-second Legislature; providing that said article as so amended shall also apply to any county having a population of seventy-five thousand (75,000) inhabitants or more, according to the last preceding Federal census and each succeeding Federal census thereafter, which have voted road and bridge bonds amounting to six million dollars (\$6,000,000) or more, and flood protection bonds, amounting to one million dollars (\$1,000,000) or more, where there is no district attorney and having two or more district courts, and in which the county attorney acts as district attorney, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 49 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Martin. Pollard.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Greer.
Berkeley.	Hardin.
Cousins.	Holbrook.
Cunningham.	Hopkins.
DeBerry.	Hornsby.
Gainer.	Loy.

Moore.	Rawlings.
Neal.	Small.
Oneal.	Stevenson.
Parr.	Thomason.
Parrish.	Williamson.
Patton.	Woodruff.
Poage.	Woodul.
Purl.	Woodward.

Absent—Excused.

Martin. Russek.
Pollard.

Bills Introduced.

By Senator Poage:

S. B. No. 34, A bill to be entitled "An Act requiring all public warehouse men to issue receipts, containing in addition to the information now required by Article 5570, of the Statutes of this State, a statement of the class and sample of the cotton represented by the receipt, said class and staple to have been determined by a public cotton classer, licensed as required by law, prescribing the fees that may be charged for such information; providing for temporary receipts in certain cases; providing for the exchange of such temporary receipts; and providing penalty and forfeiture of certificate for neglectful failure to carry out the provisions of this Act; and declaring an emergency."

Read and referred to Committee on Agricultural Affairs.

By Senator Williamson:

S. B. No. 35, A bill to be entitled "An Act creating the 127th Judicial District of Texas and establishing a new district court within the limits of Bexar County, additional to the district courts now organized and operating in said county; defining the jurisdiction thereof; providing for the appointment of the judge thereof by the Governor until the next general election; providing for the appointment of an official shorthand reporter to serve said court; providing that the sheriff and clerk of the District Courts of Bexar County shall act in their respective capacities as sheriff and clerk of the District Court herein created; fixing the terms of said Court; providing that the district attorney of the 37th Judicial District shall also represent the State in all criminal and civil matters in said 127th Judicial District Court; providing for the trans-

fer of cases; providing that 127th Judicial District Court shall have the right to empanel a grand jury and providing to which cases the said 127th Judicial District Court shall give preference; repealing all laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Judicial Districts.

By Senators Purl and Williamson:
S. B. No. 36, A bill to be entitled "An Act supplementing the appropriation made during the third called session of the Forty-first Legislature for the fiscal year ending August 31, 1931, to pay salaries of special judges and expenses of district judges for holding court out of their own counties, and declaring an emergency."

Read and referred to Committee on Finance.

House Bill No. 47.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 47, A bill to be entitled "An Act ratifying and validating Edcouch-Elsa Independent School District, ratifying and validating the proceedings of the board of county school trustees of Hildago county in annexing territory thereto, ratifying and validating the proceedings of the board of school trustees of Hildago county in detaching territory therefrom, ratifying and validating the petitions of voters residing in territory annexed and detached, and actions thereon by the board of trustees of Edcouch-Elsa Independent School District, by the board of trustees of Common School District No. 2, Hidalgo county, and also by the board of county school trustees of Hidalgo county annexing territory, being a portion of Common School District No. 2, Hidalgo county, and detaching territory from Edcouch-Elsa Independent School District, defining and describing Edcouch-Elsa Independent School District after such annexation and detachment, and declaring an emergency."

The committee report was adopted.

Read second time.

Senator Parr sent up the following amendment:

Amend H. B. No. 47 by striking out the date "June 2" wherever it

appears in the bill and inserting in lieu thereof the date "June 9."

PARR.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 47 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Martin.	Russek.
Pollard.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Martin.	Russek.
Pollard.	

House Bill No. 54.

On motion of Senator Cunningham, H. B. No. 54 was laid on the table subject to call.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, Sept. 23, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. B. No. 12 by a vote of 102 yeas and 0 nays.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Sept. 23, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 60, A bill to be entitled "An Act amending Chapter 237 of the General Laws as passed by the Fortieth Legislature of Texas at its regular Session, and fixing the salaries of the judges of the Supreme Court, of the Court of Criminal Appeals of the Commission of Appeals, judges of the Court of Civil Appeals, of the judges of the district courts; repealing all laws in conflict, and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 21.

On motion of Senator Beck, S. B. No. 21 was laid on the table subject to call.

Senate Bill No. 19.

On motion of Senator Thomason, S. B. No. 19 was indefinitely postponed.

Senate Bill No. 5.

On motion of Senator Stevenson, S. B. No. 5 was laid on the table subject to call.

Executive Session Re-set

On motion of Senator Cousins the executive session was re-set for 11:50 a. m., today.

Senate Bill No. 7.

The Chair laid before the Senate as special order the following bill:

By Senator Moore:

S. B. No. 7, A bill to be entitled "An Act to prevent deterioration and destruction of farm land planted to cotton; making certain exceptions; fixing penalty for violating this Act; and declaring an emergency."

The bill failed to pass to engrossment by the following vote:

Yeas—7.

Cousins.	Neal.
Gainer.	Small.
Greer.	Thomason.
Moore.	

Nays—19.

Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Williamson.
Hornsby.	Woodruff.
Loy.	Woodul.
Oneal.	Woodward.
Parr.	

Absent.

Beck.	Stevenson.
Russek.	

Absent—Excused.

Martin.	Pollard.
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House Bill Referred.

H. B. No. 60, referred to Committee on Finance.

Senate Bill No. 20.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 20, A bill to be entitled "An Act declaring the policy of the State of Texas on production of cotton of less than 5-8 inch staple; providing for penalties; providing for payment of such penalties; requiring report of producers and ginners of cotton of less than 5-8 inch staple; making the producers of such cotton and owners of gins liable to civil action for failure to report any such cotton ginned, and prescribing the duties; providing penalties, and declaring an emergency."

Read second time.

Senator DeBerry received unanimous consent to lay the bill on the table subject to call.

Executive Session.

On motion of Senator Cousins, the executive session was re-set for 10:50 o'clock a. m.

At 10:50 o'clock a. m., the Chair announced that the hour for the executive session had arrived. The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Committee Room,
Austin, Texas, Sept. 22, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following nominations of the Governor, beg leave to report that we have considered the appointees recommended by the Governor, and recommend that the appointment of the following named persons for the following named position be in all things confirmed:

To be Pilot Commissioners for Sabine Pass, River and Tributaries:

V. B. Westbrook, Port Arthur, Texas.

C. F. Peterson, Port Arthur, Texas.

POLLARD, Chairman.

Adopted.

Adjournment.

Senator Cousins moved to recess until 2:30 p. m.

Senator Hardin moved to adjourn until 10 o'clock tomorrow morning. The motion to adjourn prevailed, and at 11:10 o'clock a. m., the Senate adjourned.

APPENDIX.**Petitions and Memorials.**

Sept. 21, 1931.

State Senate, care of
Honorable Bob Barker,
Austin, Texas.

Dear Colleagues:

This is to thank the Senate of Texas and the members thereof for their testimony of affection shown at the passing of my brother, P. P. Holbrook, of Vernon, Texas.

The flowers that went into the wreath purchased by the Senate were beautiful and the recollection of them will always be a benediction to me.

Sincerely yours,
T. J. HOLBROOK.

EIGHTH DAY.

Senate Chamber,
Austin, Texas,
September 24, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Pollard.

Prayer by the Rev. A. W. Jones of Llano.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senators Holbrook and Woodul.
S. B. No. 37, A bill to be entitled "An Act making an emergency appropriation out of the Sand, Shell and Gravel Fund of this State to pay certain refunds of the tax collected by the Game, Fish and Oyster Commissioner on sand, shell and gravel used